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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 63173 (70801)
INTERNATIONAL APPLICATION NO. PCT/JP2003/012304	INTERNATIONAL FILING DATE 26 September 2003	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/529429
TITLE OF INVENTION OPTICAL PATH SWITCHING DEVICE		
APPLICANT(S) FOR DO/EO/US Kohji Minami		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). </p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)) <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). </p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input checked="" type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</p>		
Items 11 to 20 below concern document(s) or information included:		
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: PCT/RO/101; PCT/IB/210; International Application No. WO 2004/029712 A1; this Return Receipt Postcard</p>		

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER
10/529429	PCT/JP2003/012304	63173(70801)
The following fees have been submitted		CALCULATIONS PTO USE ONLY
21. <input checked="" type="checkbox"/> Basic national fee	\$300	\$ 300.00
22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4).....	\$100	
All other situations	\$200	
23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....	\$100	
International Search Report prepared and provided to the Office	\$400	
All other situations	\$500	\$ 200.00
TOTAL OF 21, 22 and 23 =		\$ 1,000.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.		
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)
50 - 100 =	/50 =	x \$250.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).		
CLAIMS	NUMBER FILED	NUMBER EXTRA
Total claims	43 - 20 =	23
Independent claims	1 - 3 =	0
MULTIPLE DEPENDENT CLAIM(s) (if applicable)		+ 360.00
TOTAL OF ABOVE CALCULATIONS =		\$ 2,510.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.		
SUBTOTAL = \$ 2,510.00		
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)). +		
TOTAL NATIONAL FEE = \$ 2,510.00		
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +		
TOTAL FEES ENCLOSED = \$		
Amount to be refunded:		\$
Amount to be charged:		\$2,550.0
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>04-1105</u> in the amount of \$ <u>2,550.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>04-1105</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.</p>		
SEND ALL CORRESPONDENCE TO:		
<p>David A. Tucker EDWARDS & ANGELL, LLP P.O. Box 55874 Boston, Massachusetts 02205 (617) 517-5508 CUSTOMER NUMBER: 21874</p>		
<p>SIGNATURE: <u>David A. Tucker</u></p> <p>NAME: <u>David A. Tucker</u></p> <p>REGISTRATION NUMBER: <u>27,840</u></p>		

JC06 Rec'd PTO 25 MAR 2005

PTO/SB/17 (12-04v2)

Approved for use through 7/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 2,550.00)

<i>Complete if Known</i>	
Application Number	Not Yet Assigned
Filing Date	Concurrently Herewith
First Named Inventor	Kohji Minami
Examiner Name	Not Yet Assigned
Art Unit	Not Yet Assigned
Attorney Docket No.	63173 (70801)

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____

Deposit Account Deposit Account Number: 04-1105 Deposit Account Name: Edwards & Angell, LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

<input checked="" type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims
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29 - 20 =	9	x _____	= _____	Fee (\$)	Fee Paid (\$)
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Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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1 - 3 =		x _____	= _____
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3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
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50 - 100 =		/50 (round up to a whole number) x _____ = _____	Fees Paid (\$)
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4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)	300.00
Other (e.g., late filing surcharge): 1631 Basic National Stage fee	200.00
1633 National Stage Examination Fee - all other ...	500.00
1632 National Stage Search Fee - all other situations	40.00
8021 National Stage recording each patent assignment, ...	1,150.00
1615 National Stage claims - extra total (over twenty)	360.00
1616 National Stage claims - multiple dependent	

SUBMITTED BY		Registration No. (Attorney/Agent)	Telephone
Signature	<u>David A. Tucker</u>	27,840	(617) 517-5508
Name (Print/Type)	David A. Tucker	Date	March 25, 2005

10/529429

JC06 Rec'd PCT/PTO 25 MAR 2005

Application No. (if known): Not Yet Assigned

Attorney Docket No.: 63173 (70801)

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. **EV 492341450 US** in an envelope addressed to:

MS PCT
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Alexandria, VA 22313-1450

on March 25, 2005
Date

Kathryn A. Grindrod
Signature

Kathryn A. Grindrod

Typed or printed name of person signing Certificate

Registration Number, if applicable

(617) 517-5534
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal Letter to the United States Designated-Elected Office (4 pages)
Fee Transmittal (2 pages)
Specification (43 pages)
Claims (6 pages)
Abstract (1 page)
Formal Drawings Figs. 1 - Figs. 14 (12 pages)
Executed Oath or declaration of the inventor(s) (4 pages)
PCT Request (PCT/RO/101)
International Search Report (PCT/ISA/210)
International Published Application No. WO 2004/029712 A1
Information Disclosure Statement (6 pages)
Form PTO/SB/08a/b (w/3 References) (1 page)
Assignment Recordation Form Cover Sheet (2 page)
Assignment (2 pages)
Authorization to charge \$2,550.00 to deposit account 04-1105
This Return Receipt Postcard